

March 1, 1976

all employment in Nebraska and 22 days left in this session with words like this in here that has no connection with an employer that we are talking about. I further, specifically, refer now to what I consider to be the heart of the matter and that is, administrative justice versus the court system. In section 13, it talks about any employer who violates the provisions of this act. Now those provisions can be any words that are contained in this act or any directives in it and there are some fifteen pages of them. Now if the Commissioner determines after an appropriate hearing that an employer is in violation of this act, the Commissioner shall assess a civil penalty which is consistent with the provisions of subsection (1). Now that is the only thing that has to be complied with to sock the \$500 is to have it consistent with subsection (1), and subsection (1) says "any employer who violates the provisions of this act". When people say that they want less government, what they are actually talking about is less administrative justice. We write public law so that we can get at some particular problem. Like killing flies with sledge hammers, we write legislation of this type, completely redirect the activities and the energies of the Department of Labor in the State of Nebraska, give them a whole new directive in which they shall write rules and regulations under which they will happen. They shall hire employees to determine those regulations, and it all comes down that if an employer violates this act, he shall be fined up to \$500. Now that is as binding a one-way arbitration as can be had. Such as, what is to take place in the hearing? The employee says they owe me \$100. The employer says I do not. Now these sleezy people that we are after, the records that they will have will be nonexistent and it will come down to just that and the Commissioner says, he does not owe the \$100. We are through and the employee just had administrative justice. The employee was just told to go to Kansas. There is no justice in Nebraska. You are through. Or the reverse could be true but that is going to be it, right there in that administrator's office and this is what they talk about, what I talk about, and you, when we talk about less government. We are not talking about less payment to welfare, less education, less policemen. We are talking about less administrative justice and here we are, here we are setting up a whole new bureau of administrative justice for the people of the State of Nebraska. Shame.

PRESIDENT: Senator Burrows, will you close debate on this matter, please?

SENATOR BURROWS: Is this closing? Is this close? Mr. Speaker, members of the Legislature, I think the debate we already have had involved in this proves that it is an important piece of legislation and fully worth discussion on the floor, further discussion and amendment and full hearing on the floor. I want to answer just a couple of questions brought out and briefly cover what this bill does. The main point of